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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/688,867	10/17/2000	Masahiko Fujita	Q61035	2472

7590 12/30/2003

SUGHRUE, MION, ZINN, MACPEAK & SEAS
2100 Pennsylvania Avenue, N.W.
Washington, DC 20037

EXAMINER	
NGUYEN, TRAN N	
ART UNIT	PAPER NUMBER
2834	

DATE MAILED: 12/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/688,867	FUJITA ET AL.	
	Examiner	Art Unit	
	Tran N. Nguyen	2834	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on *06 October 2003* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) *2-6 and 15* is/are pending in the application.

4a) Of the above claim(s) *8-14* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) *2 and 15* is/are rejected.

7)☐ Claim(s) *3-6* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. **Claims 2 and 15 are** rejected under 35 U.S.C. 102(b) as being fully anticipated by Japanese Patent JP48-9201 (hereafter JP'201).

JP 48-9201 discloses an iron core for a rotating machine comprising laminated magnetic a plurality of substantially hexahedral laminate strips (4), i.e., each strip has six faces, each single strip being an entire layer of a substantially hexahedral laminate, and the strips being stack on top of each other, the laminated strips curved to formed a cylindrical-shaped iron core; the strip having a proximal portion with a plurality of teeth projecting radially therefrom and slots for accommodating a winding, wherein the outside surface, which is opposite a plurality of teeth, is continuously uniform surface. JP'201, figs 1-2 show the magnetic continuously straight strips prior to forming the magnetic strips into a cylindrical shape. Inherently, in order to form the cylindrical shape of the core these straight strips, including both end portions thereof, must be curved at a predetermined curvature to form a predetermined cylindrical proximal portion; the ends of the core proximal are inherently curved and joined at welding point to form the cylindrical core (figs 1-4). Inherently, the laminated core with both end portions, which are joined by welding, physically have a lower

rigidity than that of the remainder portion thereof . In other words, because the laminated strips are materially uniform solid portion, i.e., not being joined by soldering or welding or any bonding means, the rigidity of the materially solid-formed portion of the laminated core is higher rigidity than that of the joining portion that formed by both ends thereof.

2. **Claims 2 and 15** are rejected under 35 U.S.C. 102(b) as being fully anticipated by Adachi et al (US 6317962)

Adachi discloses an iron core comprising: laminated magnetic plate strips (51), each of said strips connected to each other to form a substantially hexahedral laminate and, after being formed into said iron core, said substantially hexahedral laminate having a cylindrical core proximal portion; a plurality of teeth (50) projecting in a substantially radial direction from the proximal portion; and slots (51a) for accommodating a winding that are located between the teeth adjacent to each other, wherein both end portions of the substantially hexahedral laminate are joined and curved so that the cylindrical core proximal portion obtains a predetermined curvature, the entire substantially hexahedral laminate is formed into a cylindrical shape, and distal ends of the teeth project from the cylindrical core proximal portion (figs 1-2); and inherently wherein said both end portions of the cylindrical core proximal portion are joined by welding (51b-fig 1) physically have a lower rigidity than that of the remainder portion thereof because the rest of the laminated core is formed by materially uniform solid portion, i.e., not being joined by soldering or welding or any bonding means.

Allowable Subject Matter

3. **Claims 3-6** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments filed 10/06/03 have been fully considered but they are not persuasive because of the following:

With respect to rejection against independent claim 2, Applicant submits that the end portions of the laminated core of JP'201 or Adachi references are not necessarily less rigid than the rest of the laminated strip. That is, absent any teaching or other evidence about the rigidity of the laminated core or its end portions, the two end portions of a laminated core are likely no less rigid than other portions thereof.

In response to this argument, the applicant's attention is drawn to the claimed language of claim 2 "wherein both end portions are joined and curved so that the cylindrical core proximal portion obtains a predetermined curvature .. and wherein said both end portions of the cylindrical core proximal portion of the laminate have a lower rigidity than that of the remainder thereof" based on this recitation, the Examiner's broadly interpretation is that when the both ends of the laminated strips are joined, via e.g., welding or adhesive bonding, etc., the joined end portions of the cylindrical core is physically less rigid than any other portion thereof because of the following:

(a) inherently, based on the physical material and mechanical structure, the joined portion of both ends are physically not a solid-single portion or materially-integral portion as the rest of the cylindrical core;

(b) broadly interpretation, both ends portions are joined via welding or adhesive, there is a possibility of human error of bonding agents, i.e., soldering material or adhesive bonding material such as resin, would improperly applied resulting from being low rigidity of said both end portions of the cylindrical core proximal portion of the laminate to disjoining the two ends of the laminated strips that form the core.

Because the claimed language of the independent claim 2 does not recite any structural features that particularly makes the recited both end portions of the cylindrical core proximal portion of the laminate have a lower rigidity than that of the remainder thereof, the Examiner must, as required by MPEP 2111, give the reasonably broadest interpretation of the claimed language as explained above.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tran N. Nguyen whose telephone number is (703) 308-1639. The examiner can normally be reached on M-F 7:00AM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Burton Mullins can be reached on (703)-305-7063. The fax phone number for the organization where this application or proceeding is assigned is (703)-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-308-1782.

Tran N. Nguyen
Primary Examiner
Art Unit 2834